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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.466 OF 2007
IN
FIRST APPEAL (STAMP) NO.1127 OF 2007

Jayawanti Prakash Pardeshi and another — Applicants

versus

Balasaheb Baban Atole & others — Respondents

Mr.Babasaheb Deshmukh for applicants.

CORAM : A.S.OKA, J.

DATE : 06th March 2007

PC :

1. Learned advocate for the applicants on instructions of the applicants seeks permission to withdraw this application along with First Appeal. Accordingly Civil Application is dismissed as withdrawn. First Appeal (Stamp) No.1127 of 2007 is also dismissed as withdrawn. Applicants are entitled to refund of the court fee according to the Rules.

2. In view of dismissal of First Appeal itself, Civil application No.467 of 2007 does not survive

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and stands dismissed.

3. The applicants had deposited a cheque in the sum of Rs.25,000/- in compliance with the requirement of Section 173 of the Motor Vehicles Act, 1988. The said cheque has been dishonoured. As the first appeal is withdrawn unconditionally no further action on the basis of the cheque is called for.

(A.S.OKA, J.)